**Introduction to Human Rights**

Every person has dignity and value. We recognize the fundamental worth of every person by acknowledging and respecting their human rights.

"Human Rights" refers to a set of legal and moral rights that belong to every person simply because they are human. These rights apply to all people, everywhere, regardless of race, color, gender, language, or opinions.

**Human Rights**

Human rights are principles focused on equality and fairness. They recognize our freedom to make life choices and develop our potential. These rights ensure we can live free from fear, harassment, or discrimination.

Broadly, human rights include essential rights agreed upon worldwide, such as the right to life, fair trials, freedom from torture, freedom of speech and religion, and access to health, education, and a decent standard of living.

Human rights are universal, inalienable, and protect human dignity. The Universal Declaration of Human Rights (UDHR) in 1948 by the United Nations outlined 30 articles on human rights.

In Pakistan, the 1973 Constitution guarantees fundamental rights like freedom of speech, thought, religion, press, and assembly. This framework enables the government to adopt international human rights conventions and treaties.

**Universalism**

**What it means**: This idea says that human rights are the same for everyone, no matter where they are from or what their culture, religion, or government is. Universalists believe these rights come from being human, and everyone should follow the same moral rules.

**Example**: Think of the right to free speech. Universalists would say that everyone in the world should have the right to express their opinions, regardless of their country's laws or cultural norms.

**Relativism**

**What it means**: This idea says that human rights depend on cultural context, meaning different cultures may have different sets of moral principles. No single set of rights can apply to all cultures because they are shaped by their own histories and values.

**Example**: In some cultures, wearing certain types of clothing is considered respectful and appropriate, while in others, those same clothes might be seen as unusual or even disrespectful. For instance, in some Middle Eastern countries, women are expected to wear modest clothing that covers much of their body, whereas in Western countries, women may dress more freely. A relativist would argue that both dress codes are valid within their own cultural contexts.

**Human Rights in the Constitution of Pakistan**

Human rights in Pakistan are influenced by the country’s diversity, large population, and its status as a developing Islamic democracy, combining both Islamic and secular law. The Constitution of Pakistan provides fundamental rights such as freedom of speech, thought, information, religion, association, press, and assembly. It also allows for the conditional right to bear arms.

The Constitution guarantees:

* An independent Supreme Court
* Separation of the executive and judiciary
* An independent Human Rights Commission
* Freedom of movement within and outside the country

However, many of these rights are not fully respected in practice.

**Key fundamental rights under the Constitution include:**

* **Right to Life**: No person can be deprived of life or liberty except by law (Article 9)
* **Protection against Arrest and Detention**: Arrested individuals must be informed of the reasons and have the right to legal counsel.
* **Right to a Fair Trial** (Article 10A)
* **Prohibition of Slavery and Forced Labor**: No child under 14 can work in factories or mines.
* **Protection against Retrospective Punishment**: No one can be punished for an act that was not a crime when committed.
* **Protection against Double Jeopardy and Self-Incrimination**
* **Freedom of Movement**, **Assembly**, and **Association**
* **Freedom of Trade, Business, and Profession**
* **Freedom of Speech**
* **Right to Access Information** on public matters (Article 19A)
* **Freedom of Religion** and protection of religious institutions
* **Safeguards against Religious Taxation** and **Discrimination in Education**
* **Property Rights**: The right to acquire, hold, and dispose of property in any part of Pakistan.
* **Equality for All Citizens**: No discrimination based on sex or other factors.
* **Free and Compulsory Education** for children aged 5 to 16.
* **Equal Access to Public Spaces**
* **Protection from Discrimination in Employment**
* **Cultural Rights**: Citizens have the right to preserve their language, script, and culture.

**Constitutionalism and the Democratic Process**

**Definition**  
Constitutionalism refers to a political system that is based on a supreme law (the constitution), which can only be changed by the will of the people or their representatives. It involves the rule of law, separation of powers, checks and balances are observed and prioritizes the rights and development of citizens.

**Constitutionalism**  
It involves two key principles:

1. **People are supreme to the government**: The constitution represents the will of the people.
2. **People control government decisions**: Citizens have a say in the governance process.

In simple terms, constitutionalism requires democratic governance, where citizens freely choose, participate, and are represented in government without interference.

**Democratic System**  
A democratic system allows people to choose their leaders and government through participation.

However, Pakistan’s democracy faced challenges after independence due to weak political parties, political instability, and conflicts between civilian and military authorities. These factors led to military takeovers and the enforcement of Martial Law at various times in the country's history.

**Democratic Governance and Human Rights Protection Framework:**

1. **Review electoral laws and processes** to build trust.
2. **Continuously update voter registration** to ensure all eligible citizens are registered and able to participate in elections.
3. **Engage in Social Mobilization (public awareness campaigns)** to enhance citizens' understanding of the rule of law, constitutionalism, and democratic governance, fostering a stronger relationship between the people and the State.

**Current Human Rights Issues in Pakistan**

1. **Extrajudicial Killings**: These are illegal killings by law enforcement without due process. Despite being condemned by the Constitution of Pakistan and the UN's Universal Declaration of Human Rights, they remain prevalent.
2. **Custodial Torture and Deaths**: Custodial torture and deaths are banned by national and international laws, but these are routine methods used in Pakistan to extract information from the accused persons.
3. **Political Violence**: Political violence emerges from power struggles, lack of democratic culture within parties, and misuse of authority, which are the causes of instability and human rights violations.
4. **Corruption**: Corruption undermines the rule of law and denies justice to ordinary citizens, as the powerful often escape legal consequences.
5. **Freedom of Media**: While the Constitution protects freedom of speech and the press, media in Pakistan faces restrictions, failing to meet the vision of its founder, Quaid-e-Azam.
6. **Border Killings**: People living in border areas, often crossing for work, are frequently killed by border forces, adding to their hardships.
7. **Violence Against Women**: Women and girls are often victims of violence, both in public and private settings, due to traditional and legal structures.
8. **Freedom of Assembly and Association**: Although guaranteed by the Constitution, restrictions are sometimes imposed on public gatherings, citing traffic or security concerns.
9. **Workers' Rights Violations**: Workers' rights, including fair wages and safe working conditions, are often ignored. Strikes and protests lead to tensions between workers and employers, creating conflict.